

HIGH COURT OF UTTARANCHAL AT- NAINITAL.

Writ Petition No. 847(S/S)2004

Nandan Singh Karki S/o Sri Kundan Singh Karki,
Posted as Assistant Teacher,
Primary School, Dhaulachhina,
Distt Almora.

....Petitioner.

Vs.

Rajaya Pariyojana Nideshak (District)
Sarva Shiksha Abhiyan,
Dehradun and three others.

....Respondents.

Sri D.S. Rawal, learned counsel for the petitioner,
Learned Standing counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri D.S. Rawal, learned counsel for the petitioner and
learned Standing Counsel for the respondent.

Parties are agreed that the petition may be heard and decided on
the admission stage itself.

By means of this writ petition, the petitioner has prayed for a
writ, order or direction in the nature of certiorari quashing the entire
selection process initiated for selecting and appointing teachers
pursuant to the advertisement dated 17.06.2004.

An advertisement was issued by the Principal District Education
& Training Institute, Almora inviting the applications for appointment
of the post of "Sah Samanwayak" and "Sankul Sansadhan Kendra
Samanwayak" from the teachers who are teaching in Basic Schools and
have at least five years' experience of teaching. The petitioner has
submitted that he was appointed on the post of Assistant Teacher in
Primary School under the dying-in-harness Rules in the year 1992. In
pursuance to the aforesaid advertisement, the petitioner has also applied
and has qualified the written examination which was held on 11th July
2004. Thereafter, the petitioner has also participated in the interview.

Contention of the petitioner is that the Core Committee has
specifically informed him that he could not be selected as he was
appointed under dying-i-harness Rules. The petitioner has submitted
that the result has yet to be declared, At this stage, the writ petition is
found to be misconceived, as the list of finally selected candidates has

yet has been declared. It is possible that the petitioner may be successful.

The petitioner has submitted that the result is likely to be declared very soon. The petitioner has made allegations that there is large scale of bungling in the selection, but no specific allegations have been made in the writ petition. The allegations are vague.

Though there are no specific allegations mentioned in the writ petition yet, I direct the Joint Director of Education, Kumaon Mandal, Nainital to look into the matter and after going through the records shall pass suitable orders and direct the Principal, District Education & Training School, Almora to make selection strictly in accordance to law.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

July 27, 2004:
NCM: